

### **REMARKS**

With entry of the foregoing amendments, claims 1-15, 21-37 and 55-69 are pending in this application. Favorable consideration is requested.

At the outset, applicants note with appreciation the allowance of claims 55-69. Applicants believe that the other claims are also in condition for allowance, as discussed below.

Turning to the amendments, claim 4 and the specification have been amended in line with the Examiner's comments concerning the drawings and specification on pages 2-3 of the Office Action.

More specifically, claim 4 has been amended to delete the reference to a "straight shaped" seal clip. Thus, the drawings do not require amendment to include "straight shape" as mentioned in the first paragraph on page 2 of the Office Action. The "elongated J shape" and "reverse L-shape" of claim 24 are already depicted in Figures 12, 13 and 15; thus, the drawings do not require amendment to reveal those designs.

The specification has been amended in paragraph 48 to note the shapes of the seal clip, as supported by the wording in original claim 24 (which is part of the original disclosure) and Figures 3, 4, 7, 12, 13 and 15.

No new matter has been added by the claim and specification amendments, which have merely been made to address the Examiner's comments and to place the application in condition for allowance.

Turning to the specific objections and rejections, applicants note the following.

With respect to the drawing objection on page 2 of the Office Action, applicants believe that the foregoing amendments and remarks obviate the objection.

With respect to the specification objection on pages 2-3 of the Office Action, applicants believe that the foregoing amendments and remarks obviate the objection.

With respect to the rejection of claims 1-15, 21-28 and 30-36 as allegedly being obvious over U.S. patent 4,906,364 to Luthi in view of U.S. Patent 3,837,499 to Luthi, applicants respectfully traverse the rejection for at least the following reasons.

The cited art either individually or in any "reasonably apparent" combination (as required by the recent Supreme Court decision) does not render obvious the claimed invention. More specifically, the '364 patent fails to specify that the seal clip is disposed under the leading edge of the corrugated sheet; nor does the '499 patent disclose the claimed seal clip or its positioning. The Examiner appears to acknowledge the deficiencies of the '364, but contends that the member 72 of the '499 patent is a seal clip that can be used to modify the '364 patent. (The Examiner states that the '499 patent "discloses the concept of disposing a seal clip 72 under a leading edge of each corrugated sheet.") However, the member 72 of the '499 patent is not a seal clip. Instead, it is a recess that is associated with a U shaped mounting clip 70. This recess and U shaped mounting clip disclosure in the '499 patent would not be combined in any "reasonably apparent" fashion (as required by the recent Supreme Court case) with the teachings of the '364 patent to arrive at the claimed invention that requires, among other things:

(f) a seal clip disposed at a leading edge of each corrugated sheet,

(g) a seal member disposed close to the underside leading edge of each corrugated sheet and engaged between the seal clip and the corrugated sheet,

.....  
wherein at least one of the seal clip and the seal member is  
partially disposed under the leading edge of the corrugated sheet.


Furthermore, to modify the two Luthi disclosures in the fashion suggested in the Office Action would defeat the purposes of those two Luthi references and make the devices fail. For example, one skilled in the art would have to split in half (i.e., **destroy**) the U-shaped mounting clip 70 from the '499 patent (which would render the Luthi '499 device worthless) and would have to add that to the '364 device without any reason for doing so. There is simply no teaching or suggestion or reasonable motivation to do this, and it would go completely against the teaching of the '499 patent.

In view of the foregoing amendments and remarks, applicants submit that this application is in condition for allowance. A notice to that effect is earnestly solicited.

If the examiner has any questions concerning this case, the undersigned may be contacted at 703-816-4009.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:   
Duane M. Byers  
Reg. No. 33,363  
*See # 3025*

DMB:lfo  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100